

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VICTOR EVERLOVE,)	Case No.: 09-CV-05361-LHK
)	
Plaintiff,)	ORDER RE: CONSENT DECREE
v.)	CLARIFICATION
)	
TEXAS TURKEY, INC., ET AL.,)	
)	
Defendants.)	

The parties have submitted a proposed Consent Decree and Order, in which Defendants have agreed to complete corrective work to ensure that the establishment in question is compliant with federal and state law regarding access to public accommodations for individuals with disabilities. *See* Dkt. #46. The Consent Decree also orders that Defendants pay Plaintiff \$7,500 in damages, and pay Plaintiff's Counsel \$65,000 in attorney's fees, litigation expenses, and costs.

To assist the Court in evaluating the proposed Consent Decree, the Court orders that Plaintiff file the following information on or before April 8, 2011:

- (1) Billing records regarding the \$65,000 in attorney's fees, litigation expenses, and costs, including a resume and the hourly rates of all attorneys, experts, and others who have worked on the case with a description of the work performed by each and the number of hours required to complete each task. *See Vizcaino v. Microsoft Corp.*, 290 F.3d 1043, 1050 (9th Cir. 2002) ("[c]alculation of the lodestar, which measures the lawyers'

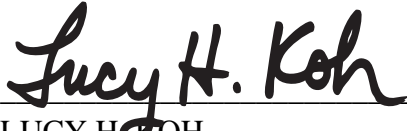
investment of time in the litigation, provides a check on the reasonableness” of the award).

(2) A statement regarding whether, how, and when Plaintiff's Counsel will confirm whether Defendants have completed the corrective work and inform the Court that the corrective work has been completed.

(3) An explanation of why the Consent Decree should last for sixty months when it appears that most, if not all, of the corrective work will be completed well before sixty months from now.

IT IS SO ORDERED.

Dated: March 29, 2011



LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California